

**KINGSBURG CITY COUNCIL
REGULAR MEETING
NOVEMBER 15, 2006**

5:00 P.M. - 6:15 P.M. CLOSED SESSION

The Kingsburg City Council was called to order at 5:05 PM.

Council Members present: Bruce Blayney, Paul Kruper, Milo Smith, and Mayor Leland Bergstrom.

Council Members absent: David Karstetter

A motion was made by Council Member Blayney, seconded by Council Member Smith, and carried, to adjourn to closed session to discuss the following item:

Conference with Labor Negotiators

Agency Designated Representative: (Kenneth Caves) –

Employee Organization: KPSEA (Kingsburg Public Service Employees Association); KPOA (Kingsburg Police Officers Association); KPFA (Kingsburg Professional Firefighters Association)

Government Code Section 54957.6

The City Council returned to regular session 7:07 P.M.

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City Attorney Mike Noland stated that no decision was made with nothing to report out of closed session.

Invocation was given by Pastor Tim Boynton of the Kingsburg Evangelical Covenant Church, followed by the Pledge of Allegiance led by Mayor Bergstrom.

Mayor Bergstrom called the regular meeting to order.

Council Members present: Bruce Blayney, Paul Kruper, Milo Smith, and Mayor Leland Bergstrom.

Council Members absent: David Karstetter

Staff present: City Manager Don Pauley, Assistant City Manager/Finance Director Don Jensen, City Attorney Mike Noland, Planning and Development Director Terry Schmal, and City Clerk Sue Bauch.

Others present: Tim Howard of D. R. Horton Company and Pastor Tim Boynton.

Public Comments - Tim Howard of D. R. Horton Company stated that he would like to understand the City's development process concerning construction of Model Homes. He stated that he would like to know at what point in time, following the final map process and start of improvements, are models allowed to be constructed. He explained the map that he passed out to the Council and stated that it is important to them that safety be addressed but that in other jurisdictions models are allowed to be constructed before all improvements are in place. He stated that it is his understanding that in Kingsburg improvements have to be in place and accepted by the City before construction can begin on models.

Planning and Development Director Terry Schmal stated that it is a policy decision with the primary issue being public safety. He stated that Council may want to direct staff to look into it. Council Member Kruper stated that from a common sense point it doesn't look like a problem. Council Member Smith stated that the City tried this 10 to 12 years ago and the problem was that people moved into these homes prior to the final. Mr. Howard stated that we are not talking about homes to sell, but models. He stated that in any event moving in can be avoided by the City not issuing Certificate of Occupancy.

It was the consensus that staff be directed to come back with a recommendation on this policy.

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Approve Agenda

A motion was made by Council Member Blayney, seconded by Council Member Kruper, to approve the Agenda as published. The motion carried by unanimous voice vote of those Council Members present.

Consent Calendar

A motion was made by Council Member Blayney to approve the Consent Calendar with the exception of Item No. 5, Tulare Street Improvements, which he would like pulled. The motion was seconded by Council Member Kruper and carried by unanimous voice vote of those Council Members present.

Approval of City Council Minutes – Approve minutes from the Regular City Council meeting held on November 1, 2006 as prepared by City Clerk Sue Bauch.

Budget Amendment No. 1 – Adopt Resolution No. 2006-64 appropriating funds for the Community Services and Human Resource positions. Amendment prepared by Assistant City Manager/Finance Director Don Jensen.

Budget Amendment No. 2 – Adopt Resolution No. 2006-65 appropriating funds for Employee Association Negotiation Professional Services. Report prepared by Assistant City Manager/Finance Director Don Jensen.

Pre-Zone RZ-2006-04 – Pre-zoning of a 20-acre parcel, west side of 10th Avenue south of Kamm Avenue (Assessor's Parcel Number 394-021-14) Waive the second reading and adopt Ordinance No. 2006-11 with the following recital constituting reading of the title of said ordinance:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KINGSBURG PRE-ZONING A 20-ACRE PARCEL ON THE WEST SIDE OF 10TH AVENUE SOUTH OF KAMM AVENUE (ASSESSOR'S PARCEL NUMBER 394-021-14) TO THE R-1-7 ZONE DISTRICT UPON ITS ANNEXATION TO THE CITY”

Pulled Consent Calendar Items:

Tulare Street Improvement Project – Accept the Tulare Street Improvement Project constructed by Dawson Mauldin Construction and authorize filing of the Notice of Completion. Report prepared by City Engineer Dave Peters.

Council Member Blayney stated that we had talked about bulbs at the street's intersection and asked what happened. City Manager Don Pauley stated that the bid was accepted without the bulbs because of cost. Mr. Pauley stated that the Traffic Safety Committee will be looking at several citizen complaints concerning this issue at the next meeting. The City Attorney is also looking into what liability would be created by putting up the traffic deterrents, such as stop signs, without warrants. He stated that the biggest problem is that the drivers are not meeting the required “Yield” laws. The Committee will have to look at warrant requirements and what liability the City would have if the requirements are not met.

With that explanation, Council Member Blayney moved to accept the Tulare Street Improvement Project and authorize filing of the Notice of Completion. Council Member Kruper seconded the motion which carried by unanimous aye vote of those Council Members present.

REGULAR CALENDAR

Continued Discussion Regarding Fresno County Public Facilities Impact Fees - Consider reports regarding the Fresno County Public Facilities Impact Fees.

In response to Council direction at its September 15, 2006 meeting, City Manager Don Pauley presented an analysis of the specific elements of the proposed Fresno County Public Facilities Impact Fees. Following discussion, a motion was made by Council Member Blayney directing

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staff to reply to the County, detailing the list of concerns and suggestions contained in Mr. Pauley's report dated September 21, 2006. Also, directing staff to send a copy of this report to the Five Cities Economic Development Group. The motion was seconded by Council Member Kruper and carried by unanimous voice vote of those Council Members present.

Goal Setting Workshop – Selection of date for Goal Setting Workshop. Report prepared by City Manager Don Pauley.

City Manager Don Pauley reviewed his staff report concerning a date for the 2007/2008 Goal Setting Workshop. He stated that a facilitator, location, and schedule have been determined with the last remaining item being the date for this event. After brief discussion it was the consensus that the Workshop be held on November 28, 2006.

Council Reports and Staff Communications:

Five Cities Economic Development Meeting – Council Member Blayney stated that he attended the Monday night Five Cities Economic Development meeting in place of Council Member Karstetter. He stated that we are not officially a member yet. He stated that they are putting together a MOU and there will be a membership fee. They are looking at regional issues. He stated that he thinks that it is a good group for us to join.

County Board of Supervisors Meeting – Council Member Blayney reported on the meeting yesterday. He stated that they had a verbal report and discussion on the problems with fire suppression in the County, particularly with the coverage in the County islands with Fresno City.

SKF Rate Increase – Mayor Bergstrom reported that SKF had turned down a \$1.00 per month increase. He brought the Council up-to-date on the equipment issues and the fact that they are very close to their capacity limit. He stated that they will need to raise rates for new development connections to pay for necessary improvements. He stated that there will be workshops in the future to bring all three cities up to speed on what is happening.

Charrette Process – Planning and Development Director Terry Schmal reported on the upcoming charrette process on May 10-15, 2007.

LAFCO Meeting – Planning and Development Director Terry Schmal reported that at the recent LAFCO meeting the Rosser property was annexed but the Carlson property was not included. He stated that the Nelson property was approved without McNaughton's property. Also the Horton annexation is complete.

Permit Allocations - Mr. Schmal reported that the Planning Commission took action on permit allocations last week and this recommendation will be forwarded to the City Council for action in December. He stated that it was a complicated process and Council will be presented with all the information.

Adjournment – A motion was made by Council Member Blayney, seconded by Council Member Kruper to adjourn the Kingsburg City Council at 8:48 P.M. The motion carried by unanimous voice vote of those Council Members present.

Sue Bauch, City Clerk
City of Kingsburg